

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Olga Bentin	Team: Squad #9	CCRB Case #: 201603032	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 04/08/2016 6:00 PM	Location of Incident: § 87(2)(b) B § 87(2)(b) C; 75th Precinct stationhouse	Precinct: 75	18 Mo. SOL 10/8/2017	EO SOL 10/8/2017	
Date/Time CV Reported Mon, 04/11/2016 10:15 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/11/2016 10:15 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)		
§ 87(2)(b)		
§ 87(2)(b)		
§ 87(2)(b)		
§ 87(2)(b)		

Witness(es)	Home Address
§ 87(2)(b)	
§ 87(2)(b)	
§ 87(2)(b)	

Subject Officer(s)	Shield	TaxID	Command
1. Officers			NARCBBN
2. DT3 Charles Ingrassia	1149	938694	NARCBBN
3. An officer			NARCBBN
4. DT3 Jennyann Nelson	04900	928857	NARCBBN
5. SDS John Parente	02431	933145	NARCBBN
6. SGT Michael Weber	04578	929343	NARCBBN
7. SGT Alexandru Anghel	00240	934403	NARCBBN

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM James Schuessler	28718	947477	NARCBBN
2. DT3 James Ellerbe	02184	932600	NARCBBN

Officer(s)	Allegation	Investigator Recommendation
A.SDS John Parente	Abuse: Sergeant John Parente entered and searched § 87(2)(b) C, in Brooklyn.	
B. Officers	Discourtesy: At § 87(2)(b) C, in Brooklyn, Officers spoke discourteously to § 87(2)(b)	
C.SDS John Parente	Discourtesy: At § 87(2)(b) C, in Brooklyn, Sergeant John Parente spoke discourteously to § 87(2)(b)	
D. An officer	Abuse: At § 87(2)(b) C, in Brooklyn, An officer failed to show a search warrant to § 87(2)(b)	
E. An officer	Discourtesy: At § 87(2)(b) C, in Brooklyn, An officer spoke discourteously to § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
F.SGT Alexandru Anghel	Abuse: At the 75th Precinct stationhouse, Sergeant Alexandru Anghel authorized a strip-search of § 87(2)(b)	
G. An officer	Abuse: At the 75th Precinct stationhouse, An officer strip-searched § 87(2)(b)	
H.DT3 Charles Ingrassia	Discourtesy: At the 75th Precinct stationhouse, Detective Charles Ingrassia spoke discourteously to § 87(2)(b)	
I.DT3 Charles Ingrassia	Abuse: At the 75th Precinct stationhouse, Detective Charles Ingrassia threatened § 87(2)(b) with the use of force.	
J.SGT Michael Weber	Abuse: Sergeant Michael Weber entered and searched § 87(2)(b) B, in Brooklyn.	
K.SGT Alexandru Anghel	Discourtesy: At § 87(2)(b) B, in Brooklyn, Sergeant Alexandru Anghel spoke discourteously to § 87(2)(b) and § 87(2)(b)	
L.DT3 Jennyann Nelson	Discourtesy: At § 87(2)(b) B, in Brooklyn, Detective Jennyann Nelson spoke discourteously to § 87(2)(b)	
M.DT3 Jennyann Nelson	Off. Language: At § 87(2)(b) B, in Brooklyn, Detective Jennyann Nelson made remarks to § 87(2)(b) based upon ethnicity.	
§ 87(4-b) § 87(2)(g)	§ 87(4-b) § 87(2)(g)	

Case Summary

On April 8, 2016, at approximately 4:00 p.m., § 87(2)(b)'s friend, identified via investigation as § 87(2)(b) and § 87(2)(b)'s brother, identified via investigation as § 87(2)(b) arrived at § 87(2)(b)'s residence located at § 87(2)(b) C, in Brooklyn. At approximately 6:00 p.m., § 87(2)(b) and his daughter, identified via investigation as § 87(2)(b) were in § 87(2)(b)'s bedroom, while § 87(2)(b) and § 87(2)(b) were in the living room, when § 87(2)(b) heard a loud noise emanating from the front door of his apartment. After approximately two minutes, the lock on the front door of his apartment broke, and approximately five police officers, identified via investigation as the 77 Field Team of Narcotics Borough Brooklyn North, entered § 87(2)(b)'s apartment with their guns pointed at § 87(2)(b) and § 87(2)(b) (**Allegation A**).

§ 87(2)(b) alleged that upon entering § 87(2)(b) C, the officers said to him, "Get the fuck down on the floor!" (**Allegation B**). § 87(2)(b) refused to get down on the floor because of a prior back injury; instead, § 87(2)(b) sat on the bed. While sitting on the bed, § 87(2)(b) asked an officer, identified via investigation as Sgt. John Parente of Narcotics Borough Brooklyn North, not to point his gun at § 87(2)(b). Sgt. Parente allegedly said to § 87(2)(b) "I don't give a fuck! Shut the fuck up!" (**Allegation C**). § 87(2)(b) then allegedly asked an officer, whom the investigation was unable to identify, to show him a search warrant (**Allegation D**). The officer did not show § 87(2)(b) a search warrant; however, he informed § 87(2)(b) that the officers had a document, subsequently identified via investigation as search warrant § 87(2)(b), which allowed the officers to enter and to search § 87(2)(b)'s apartment. § 87(2)(b) alleged that when he asked a black male officer, whom the investigation was unable to identify, to see the search warrant, the officer then said to him, "Shut the fuck up!" (**Allegation E**).

After § 87(2)(b) was placed in handcuffs, Sgt. Parente approached him, asked him to get up from the bed, and then searched him. § 87(2)(b) alleged that while he was searched by Sgt. Parente, he asked the latter not to touch his genitals. Sgt. Parente then allegedly replied to § 87(2)(b) "Shut the fuck up! I do what I want," (**Subsumed in Allegation C**).

After § 87(2)(b) was searched, Sgt. Parente asked him if he had any contraband inside of his apartment. § 87(2)(b) told the officers that he had no contraband in his apartment. The same black male officer who previously cursed at § 87(2)(b) then allegedly said to him, "Shut the fuck up! If no one was selling drugs here, we would not be busting in here," (**Subsumed in Allegation E**).

§ 87(2)(b) was then taken downstairs and transported to the 75th Precinct stationhouse. While at the stationhouse, § 87(2)(b) stated that an officer, whom the investigation was unable to identify, took him into a private room, asked him to take off his shoes, his shirt, and his pants. The officer then allegedly asked § 87(2)(b) to open his mouth. § 87(2)(b) complied with the officer's request. The officer inspected § 87(2)(b)'s mouth visually, and then allegedly asked him to turn around and to face the wall, to lower his underwear, to squat, and to cough (**Allegations F and G**).

Afterwards, § 87(2)(b) was taken to another room where an officer, identified via investigation as Det. Charles Ingrassia of Narcotics Borough Brooklyn North, showed § 87(2)(b) a document, which the investigation determined was the search warrant, and asked him to sign it. § 87(2)(b) refused to sign the document. § 87(2)(b) alleged that Det. Ingrassia then said to him, "You are an asshole... You are fucking stupid!" (**Allegation H**). § 87(2)(b) told Det. Ingrassia that he was not "an asshole," but he was not signing the document. Det. Ingrassia then allegedly said to § 87(2)(b) "If you were younger, I would kick your ass!" (**Allegation I**).

As the result of this incident, § 87(2)(b) was arrested and charged with § 87(2)(a) 160.50, § 87(2)(b) (Board Review 18, Board Review 32 and Board Review 21).

On April 8, 2016, at approximately 6:00 p.m., § 87(2)(b) and § 87(2)(b) were inside of their apartment located at § 87(2)(b) B, in Brooklyn. § 87(2)(b) was preparing dinner in the kitchen, and § 87(2)(b) and § 87(2)(b) were in the living room, when they heard a loud bang on the front door of their apartment. § 87(2)(b) and § 87(2)(b) then rushed to § 87(2)(b) bedroom.

A few minutes later, the lock on the front door of § 87(2)(b) apartment broke, and approximately ten police officers, identified via investigation as the 79 Field Team of Narcotics Borough Brooklyn North, entered the apartment (**Allegation J**).

§ 87(2)(b) and § 87(2)(b) were then placed in handcuffs, and escorted to the living room. § 87(2)(b) alleged that an officer, identified via investigation Sgt. Alexandru Anghel of Narcotics Borough Brooklyn North, walked into the kitchen and then returned to the living room holding a sponge holder in the shape of a frog in his hands. Sgt. Anghel then recovered several plastic wraps of contraband from the sponge holder. Sgt. Anghel then allegedly walked around the apartment, told § 87(2)(b) and § 87(2)(b) that they had TV sets in each room, before stating, “You have money here. You have drugs... If you are not working, you are dealing drugs,” (**Allegation K**).

§ 87(2)(b) alleged that at some point during the incident, Sgt. Anghel and another officer, identified via investigation as Jennyann Nelson, of Narcotics Borough Brooklyn North, escorted § 87(2)(b) to § 87(2)(b) bedroom, showed her the substance that was recovered from the sponge holder, and asked her if the contraband belong to her. § 87(2)(b) told Sgt. Anghel and Det. Nelson that the contraband did not belong to her. Det. Nelson then allegedly said to § 87(2)(b) “I don’t give a fuck [or shit], [about arresting § 87(2)(b)]... you, West Indians, come to this country because your families reject you” (**Allegations L and M**). The investigation determined that Sgt. Anghel failed to document the strip search of § 87(2)(b) as required under Patrol Guide Procedure 208-05 (Board Review 35).

§ 87(2)(b) and § 87(2)(b) were then taken to the 75th Precinct stationhouse, where Det. Ingrassia showed § 87(2)(b) the search warrant. § 87(2)(b) read the search warrant and then signed it.

As the result of this incident, § 87(2)(b) and § 87(2)(b) were arrested and charged with § 87(2)(a) 160.50, § 87(2)(b) (Board Review 17, Board Review 33, and Board Review 22).

There is no video footage of this incident.

APU Chief Prosecutor Jonathan Darche was consulted with on this case.

Mediation, Civil and Criminal Histories

- Mediation was not presented to § 87(2)(b) and § 87(2)(b) because they were arrested as the result of this incident.
- Mediation was not presented to § 87(2)(b) because he was arrested as the result of this incident.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[redacted]
[redacted]
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[redacted]
[redacted]
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[redacted]
[redacted]
[redacted]
[redacted]
- § 87(2)(b) [redacted] and § 87(2)(b) [redacted] each filed a Notice of Claim on § 87(2)(b) [redacted] claiming they suffered “emotional upset, psychological trauma, violations of civil rights, medical expenses, attorney fees, torts, and infringement of liberties,” and are seeking damages in the amount of five million dollars (\$5,000,000.00) (Board Review 4, Board Review 8, Board Review 12, and Board review 16).

Civilian and Officer CCRB Histories

- Det. Jennyan Nelson has been a Member of Service for 15 years and has a total of 14 previous CCRB allegations stemming from nine separate complaints that were made against her. These complaints were closed as unsubstantiated, victim uncooperative, mediated, complaint withdrawn, and exonerated.
- Sgt. John Parente has been a Member of Service for 13 years and has a total of eight previous CCRB allegations stemming from four separate complaints that were made against him. These complaints were closed as exonerated, and unsubstantiated. In case 200801175, the complainant alleged that Sgt. Parente used physical force against him. The force allegation was closed as substantiated and resulted in a command discipline.
- Sgt. Michael Weber has been a Member of Service for 15 years and has a total of 18 previous CCRB allegations stemming from nine separate complaints that were made against him that were closed as unsubstantiated, exonerated, § 87(2)(b) [redacted], unfounded, § 87(4-b) § 87(2)(g) [redacted], and complainant unavailable.
- Sgt. Alexandru Anghel has been a Member of Service for 12 years and has a total of eight previous CCRB allegations stemming from six separate complaints that were made against him that were closed as unfounded, complainant uncooperative, exonerated, victim uncooperative, and unsubstantiated.
- Det. Charles Ingrassia has been a Member of Service for 11 years and has a total of 18 CCRB allegations stemming from ten separate complaints that were made against him. These complaints were closed as complaint withdrawn, exonerated, and unsubstantiated. In case 201101537, the complainant alleged that Det. Ingrassia stopped and searched him. The stop and search allegations were closed as substantiated and resulted in a command discipline. § 87(4-b) § 87(2)(g) [redacted]
[redacted]
- This is § 87(2)(b) [redacted] first CCRB complaint (Board Review 6).
- This is § 87(2)(b) [redacted] s first CCRB complaint (Board Review 14).
- This is § 87(2)(b) [redacted] s first CCRB complaint (Board Review 10).

- § 87(2)(b) has filed thirteen previous CCRB complaints (Board Review 2).

Potential Issues

- § 87(2)(b) a witness, was uncooperative with the investigation (Board Review 34).
- § 87(2)(b) a witness, was uncooperative with the investigation (Board Review 34).
- § 87(2)(b)'s daughter, who a minor at the time of the incident and a witness, did not provide a statement as § 87(2)(b) refused to allow the undersigned to speak with her.

Findings and Recommendations

Explanation of Subject Officer Identification

§ 87(2)(b) alleged that on April 8, 2016, at approximately 6:00 p.m., approximately five police officers entered and searched his apartment. In addition, § 87(2)(b) alleged that while inside of his apartment, a white male officer, approximately 39-years-old, who stood approximately 5'5" tall, weighed approximately 220 pounds, with an athletic build, red hair, a red beard, green eyes, and dressed in plain clothes, cursed at him repeatedly (Board Review 1). According to the Tactical Plan, Sgt. John Parente was the Entry Team Supervisor during the execution of the search warrant at § 87(2)(b) C, in Brooklyn (Board Review 20). According to Sgt. Parente's pedigree information, he is a § 87(2)(b)-old white male, who stands 6'0" tall, weighs 230 pounds, who is bald, and with green eyes (Board Review 24). Sgt. Parente acknowledged that he entered § 87(2)(b) C pursuant to a valid search warrant. Additionally, Sgt. Parente testified that besides him, there was no other officer inside of § 87(2)(b)'s apartment who would match the above referenced physical description (Board Review 23). Det. Charles Ingrassia testified that the 77 Field Team executed the search warrant for § 87(2)(b) C, and that there was only one white bald male officer in the entire team, and that the rest of the officers were dark skinned males. (Board Review 25) As such, **Allegations A and C** are pleaded against Sgt. Parente.

§ 87(2)(b) alleged that when the officers entered his apartment, they said to him, "Get the fuck down on the ground" (Board Review 1). § 87(2)(b) could not describe any of the officers who made the above provided statement. Sgt. Parente and Det. James Ellerbe, of Narcotics Borough Brooklyn North, both denied cursing at § 87(2)(b) upon entering § 87(2)(b) C. As such, **Allegation B** is pleaded against "Officers."

§ 87(2)(b) alleged that after he was placed in handcuffs, he asked a white male officer, who was approximately 49 or 50-years-old, stood approximately 5'8" tall, weighed approximately 250 pounds, with "salt pepper hair" and dressed in plainclothes, to see a search warrant (Board Review 1). The investigation was unable to identify the officer whom § 87(2)(b) allegedly asked to see the search warrant, because on April 8, 2016, there were several search warrants executed inside of § 87(2)(b) by various Field Teams from Brooklyn North Narcotics. Moreover, the officers were moving in and out of § 87(2)(b)'s apartment throughout the incident which made it difficult to establish which officer could have been a subject of this allegation. As such, **Allegation D** is pleaded against "An officer."

§ 87(2)(b) alleged that while inside of his apartment, a black male officer, who was approximately 29-years-old, stood approximately 5'4" tall, weighed approximately 180 pounds, with eyeglasses, and dressed in plainclothes, cursed at him several times (Board Review 1). The investigation was unable to identify the officer, because as mentioned above, there were several search warrants executed inside of § 87(2)(b) by different Field Teams of the Brooklyn

North Narcotics. According to the testimony of Det. James Ellerbe, the officers who executed the search warrant for § 87(2)(b) C were mostly black or dark skinned Hispanic males, which made it difficult to potentially identify a black male officer who was a subject of this allegation. As such **Allegations E** is pleaded against “An officer.”

§ 87(2)(b) alleged that while inside of the 75th Precinct stationhouse, he was strip-searched by a white male officer, who was in his 40s, stood approximately 6’4” tall, with a slim build, weighed approximately 170 pounds, and dressed in uniform (Board Review 1). Sgt. Anghel testified that at the 75th Precinct stationhouse, he was approached by an officer who asked him to authorize the strip-search of a male individual from § 87(2)(b) C. Sgt. Anghel acknowledged that he authorized the strip-search of a male individual from § 87(2)(b) C; however, he did not know which officer conducted the strip-search (Board Review 29). § 87(2)(b) and § 87(2)(b) provided different physical descriptions of an officer who recovered contraband from the frog shaped sponge holder that was located in the kitchen, and spoke discourteously towards them (Board Review 5 and Board Review 13). Sgt. Anghel testified that at some point during the incident, he entered § 87(2)(b) B, and recovered contraband from the frog shaped sponge holder (Board Review 29). As such, **Allegations F** and **K** are pleaded against Sgt. Anghel, and **Allegation G** is pleaded against “An officer.”

§ 87(2)(b) alleged that at the 75th Precinct stationhouse, he was shown and asked to sign a document, identified via investigation as the search warrant, by a white male officer, with red hair, a red beard, and green eyes with whom he interacted inside of his apartment. When § 87(2)(b) refused to sign the search warrant, the officer cursed at him and threatened to use force against him. Sgt. Parente testified that he did not go to the 75th Precinct stationhouse after he left § 87(2)(b) C (Board Review 1). Det. Ingrassia testified that while at the 75th Precinct stationhouse, he showed the search warrant to § 87(2)(b) and asked him to sign it (Board Review 25). As such, **Allegations H** and **I** are pleaded against Det. Ingrassia.

§ 87(2)(b) and § 87(2)(b) alleged that on April 8, 2016, at approximately 6:00 p.m., approximately 10 police officers entered and searched their apartment (Board Review 5, Board Review 9, and Board Review 13). According to the Tactical Plan, Sgt. Weber was an Entry Team Supervisor during the execution of the search warrant for § 87(2)(b) B, located at § 87(2)(b) in Brooklyn (Board Review 19). Sgt. Weber acknowledged that he and his team entered § 87(2)(b) B pursuant to a valid search warrant. As such, **Allegation J** is pleaded against Sgt. Weber.

§ 87(2)(b) described Det. Nelson as a white female in her 40s, who stood approximately 5’7” tall, with a slim build, black hair combed in ponytail, and dressed in police navy blue pants and a shirt (Board Review 9). Det. Nelson acknowledged interacting with § 87(2)(b) on the day of the incident. As such, **Allegations L** and **M** are pleaded against Det. Nelson.

Allegations not pleaded

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation A—Abuse of Authority: Sergeant John Parente entered and searched § 87(2)(b)

§ 87(2)(b) C, in Brooklyn.

Allegation B—Discourtesy: At § 87(2)(b) C, in Brooklyn, Officers spoke discourteously to § 87(2)(b)

§ 87(2)(b) testified that on April 8, 2016, at approximately 6:00 p.m., he and his daughter, § 87(2)(b) were inside his bedroom, while his two friends, § 87(2)(b) and § 87(2)(b) were in the living room watching TV, when § 87(2)(b) heard a loud noise behind his apartment's front door. After approximately two minutes, the lock on the front door of his apartment broke, and approximately five police officers, identified via investigation as the 79 Field Team of Narcotics Brooklyn Borough North, rushed inside of § 87(2)(b)'s apartment, and allegedly said to him, "Get the fuck down on the floor!" An officer, identified via investigation as Sgt. John Parente, allegedly pointed his gun at § 87(2)(b) and asked him to get down on the floor. § 87(2)(b) refused to get down on the floor because of a prior back injury (Board Review 1).

Sgt. John Parente testified that on April 8, 2016, he was assigned as an Entry Supervisor for the execution of the search warrant for § 87(2)(b) C, located at § 87(2)(b) in Brooklyn. Upon entering § 87(2)(b) C, Sgt. Parente did not hear any officer state, "Get the fuck down on the floor," nor did Sgt. Parente make such statement himself. After Sgt. Parente entered § 87(2)(b) C, he observed two male individuals, identified via investigation as § 87(2)(b) and § 87(2)(b) sitting in the living room, while a teenage female individual, identified via investigation as § 87(2)(b) and a male individual, § 87(2)(b) were in the bedroom. When Sgt. Parente entered the bedroom, he saw that § 87(2)(b) was already placed in handcuffs (Board Review 23).

Det. James Ellerbe, of Narcotics Borough Brooklyn North, testified that on April 8, 2016, he assisted the 75 Field Team in the execution of the search warrant at § 87(2)(b) C, in Brooklyn. Det. Ellerbe was assigned as the Bunker 2 officer. Upon entering the apartment, Det. Ellerbe did not say, "Get the fuck down on the floor," nor did he hear if any other officer made such a statement (Board Review 28).

§ 87(2)(g)

§ 87(2)(g)

Allegation C—Discourtesy: At § 87(2)(b) C, in Brooklyn, Sergeant John Parente spoke discourteously to § 87(2)(b)

Allegation D—Abuse of Authority: At § 87(2)(b) C, in Brooklyn, An officer failed to show the search warrant to § 87(2)(b)

Allegation E—Discourtesy: At § 87(2)(b) C, in Brooklyn, An officer spoke discourteously to § 87(2)(b)

§ 87(2)(b) stated that after an officer, Sgt. Parente, pointed his gun at his daughter, § 87(2)(b) said to Sgt. Parente, “Get the gun the fuck off my daughter’s face! She is a baby!” Sgt. Parente allegedly replied to § 87(2)(b) “I don’t give a fuck! Shut the fuck up!” Another officer, whom the investigation was unable to identify, then allegedly told Sgt. Parente not to point his gun at § 87(2)(b) § 87(2)(b) then allegedly asked the officer to show him a search warrant. The officer did not show the search to § 87(2)(b) however, he informed § 87(2)(b) that the officers had a document signed by a judge that allowed them to enter and to search § 87(2)(b)’s apartment. § 87(2)(b) alleged that he then asked a black male officer, whom the investigation was unable to identify, to show him the search warrant. The officer allegedly replied to § 87(2)(b) “Shut the fuck up!” Afterward, Sgt. Parente approached § 87(2)(b) asked him to get up from the bed, and then searched § 87(2)(b)’s person. § 87(2)(b) stated that while Sgt. Parente was searching him, he said to Sgt. Parente, “Take your hands away from my private areas. Why are you putting your hands in my pants? Are you fucking gay or something?” Sgt. Parente then allegedly said to § 87(2)(b) “Shut the fuck up! I do what I want.” After § 87(2)(b) was searched, Sgt. Parente asked him if he had any contraband inside of his apartment. § 87(2)(b) told Sgt. Parente that he had no contraband in his apartment. § 87(2)(b) then asked the same black male officer who previously cursed at him to see the search warrant and stated, “Why are you coming into my house? No one is selling drugs here.” The officer then allegedly replied to § 87(2)(b) “Shut the fuck up! If no one was selling drugs here, we would not be busting in here” (Board Review 1).

§ 87(2)(b) stated that at the 75th Precinct stationhouse, he was shown a document, identified via investigation as search warrant #§ 87(2)(b), and was asked to sign it. § 87(2)(b) stated that he read the document; however, he refused to sign it (Board Review 1 and Board Review 18).

Sgt. Parente testified that when he first observed § 87(2)(b) the latter was already placed in handcuffs. Sgt. Parente did not say to § 87(2)(b) “I don’t give a fuck! Shut the fuck up!” Sgt. Parente did not search § 87(2)(b) and he did not tell him, “Shut the fuck up! I do what I want,” nor did he use any profanity against § 87(2)(b) during this incident (Board Review 23).

Det. Charles Ingrassia testified that while he was inside of § 87(2)(b) C, he heard § 87(2)(b) and § 87(2)(b) ask to show them a search warrant. Det. Ingrassia did not know if the search warrant was shown to the males while they were still in the apartment. Det. Ingrassia stated that he provided a copy of the search warrant and a copy of the tactical plan to the supervising officers; however, he did not remember who those officers were. Det. Ingrassia further testified that after § 87(2)(b) was brought to the 75th Precinct stationhouse, he showed § 87(2)(b) the search warrant, which § 87(2)(b) read and refused to sign (Board Review 25).

Sgt. Alexandru Anghel corroborated Det. Ingrassia’s testimony and testified that after § 87(2)(b) was brought to the 75th Precinct stationhouse, Det. Ingrassia showed § 87(2)(b) the search warrant and asked to sign it (Board Review 29).

Det. Ellerbe testified that after he secured the living room of § 87(2)(b) C, he walked to the rear of the apartment to make sure that the back bedroom was secured as well. When Det. Ellerbe entered the back bedroom, he encountered a teenage female individual, § 87(2)(b) and her father, § 87(2)(b) sitting on the bed. § 87(2)(b) was crying, screaming, and asking to see her mother;

§ 87(2)(b) and § 87(2)(b) were brought to the 75th Precinct stationhouse, Sgt. Anghel did not remember if any additional contraband was recovered on their persons or from the prisoner van. While at the 75th Precinct stationhouse, Sgt. Anghel was asked by an officer, whose name he did not recall, and whom the investigation was unable to identify, if he would authorize a strip-search of § 87(2)(b) (Sgt. Anghel was asked if there was anything to indicate that § 87(2)(b) still had contraband on his person after being searched in his apartment. Sgt. Anghel replied, “No. I was just told at the stationhouse that this individual [upon entry] was observed concealing evidence upon his pants or whatever his private area. At that point, I authorized strip-search”) (Board Review 29).

Det. Ingrassia testified that while at the 75th Precinct stationhouse, he was not informed by any officer if § 87(2)(b) was strip-searched or if anyone was strip-searched inside of the stationhouse on the day of the incident (Board Review 25).

§ 87(2)(g)

Under People v. Hall, 10 N.Y. 3d 303 (2008), a visual body inspection may be conducted if the police have a factual basis supporting a reasonable suspicion that the arrestee has evidence concealed inside a body cavity and the search is conducted in a reasonable manner (Board Review 30).

Under People v. Mothershell, 14 N.Y. 3d 358 (2010), even where there is probable cause for an arrest, and a suspect has been arrested... there must be grounds to justify that very significant intrusion of a strip or visual body cavity search. It is not enough that there is probable cause to suppose that a person possesses contraband or that pursuant to a warrant there may exist grounds for a non-strip search; where a strip search is to be performed, there must also exist, ‘particular, individualized facts known to the police that justify subjecting an arrestee to these procedures,’ (10 N.Y. 3d at 311, 856 N.Y.S. 2d 540, 886 N.E. 2d 162), specific facts to support a reasonable suspicion that a particular person has secreted contraband beneath his or her clothes or in a body cavity (Board Review 31).

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation H—Discourtesy: At the 75th Precinct stationhouse, Detective Charles Ingrassia spoke discourteously to § 87(2)(b)

Allegation I—Abuse of Authority: At the 75th Precinct stationhouse, Detective Charles Ingrassia threatened § 87(2)(b) with the use of force.

§ 87(2)(b) stated that after he was strip-searched, he was then brought to another room where an officer, identified via investigation as Det. Charles Ingrassia, showed him a document, determined by the investigation to be the search warrant, and asked him to sign it. § 87(2)(b) read the document; however, he refused to sign it. § 87(2)(b) alleged that Det. Ingrassia then said to him, “You are an asshole... You are fucking stupid.” § 87(2)(b) replied to Det. Ingrassia, “I am not an asshole, but I am not signing it [the search warrant].” Det. Ingrassia then allegedly said to § 87(2)(b) “If you were younger, I would kick your ass,” (Board Review 1).

Det. Ingrassia testified that while at the 75th Precinct stationhouse, he showed the search warrant to § 87(2)(b) and asked him to read and to sign it. § 87(2)(b) read the search warrant; however, he refused to sign it because the other defendant from § 87(2)(b) C, § 87(2)(b) or § 87(2)(b) said to § 87(2)(b) “Don’t sign shit, because if you sign shit then you can’t sue the police department.” Det. Ingrassia did not say to § 87(2)(b) “You are an asshole... You are stupid,” when the latter refused to sign the search warrant; nor did he tell § 87(2)(b) “If you were younger, I would kick your ass.” While at the 75th Precinct stationhouse, Det. Ingrassia did not use profanity towards § 87(2)(b) nor did he threaten to use force against § 87(2)(b) (Board Review 25).

Sgt. Anghel testified that after § 87(2)(b) was brought to the 75th Precinct stationhouse, he and Det. Ingrassia or PO James Schuessler, of Narcotics Borough Brooklyn North, showed § 87(2)(b) the search warrant, and asked him to read and to sign it. After the search warrant was shown to § 87(2)(b) Sgt. Anghel left the room, and left § 87(2)(b) with Det. Ingrassia or PO Schuessler. Sgt. Anghel did not hear Det. Ingrassia say to § 87(2)(b) “You are an asshole... You are stupid” or, “If you were younger, I would kick your ass,” while Sgt. Anghel was present in the room with § 87(2)(b) and Det. Ingrassia (Board Review 29).

§ 87(2)(g)

Allegation J—Abuse of Authority: Sergeant Michael Weber entered and searched § 87(2)(b) B, in Brooklyn.

On April 8, 2016, at approximately 6:00 p.m., § 87(2)(b) was preparing dinner in the kitchen of her apartment, located at § 87(2)(b) B, in Brooklyn, while her two daughters, § 87(2)(b) and § 87(2)(b) were in the living room. While in the kitchen, § 87(2)(b) heard a very loud bang on the front door of her apartment. § 87(2)(b) and § 87(2)(b) then rushed to § 87(2)(b) bedroom. § 87(2)(b) alleged that several minutes later, the lock on the front door of her apartment broke, and approximately 10 police officers entered § 87(2)(b) apartment (Board Review 5).

§ 87(2)(b) and § 87(2)(b) corroborated § 87(2)(b) statement (Board Review 9 and Board Review 13).

Sgt. Michael Weber, of Narcotics Borough Brooklyn North, testified that on April 8, 2016, he was assigned as an Entry Supervisor for the execution of the search warrant at § 87(2)(b) B, in Brooklyn. Upon arriving at the location, Sgt. Weber and his Field Team used a hydro tool or a ram to open the front door of § 87(2)(b) B. Upon entering the apartment, Sgt. Weber observed three female individuals, § 87(2)(b) and § 87(2)(b) inside of the apartment (Board Review 26).

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Allegation K—Discourtesy: At § 87(2)(b) B, in Brooklyn, Sergeant Alexandru Anghel spoke discourteously to § 87(2)(b) and § 87(2)(b)

§ 87(2)(b) stated that after the officers entered her apartment, they placed § 87(2)(b) and § 87(2)(b) in handcuffs, and then escorted them to the living room. An officer, identified via investigation as Sgt. Alexandru Anghel, walked into the kitchen, and then returned to the living room holding a sponge holder in the shape of a frog in his hands. Sgt. Anghel pointed to the mouth of the sponge holder, and then retrieved several small plastic wraps containing white substances from the sponge holder. Sgt. Anghel allegedly walked around the apartment and told § 87(2)(b) that she had TV sets in each room. § 87(2)(b) alleged that Sgt. Anghel said to her and her daughters, “You have money here. You have drugs... If you are not working, you are dealing drugs,” (Board Review 5).

§ 87(2)(b) corroborated § 87(2)(b) statement, and stated that after Sgt. Anghel recovered contraband from the frog shaped sponge holder, he then allegedly pointed out that there were TV sets in each room, and stated that § 87(2)(b) and her family have been selling drugs to afford all of these items (Board Review 13).

Sgt. Alexandru Anghel testified that on April 8, 2016, he entered § 87(2)(b) B after the initial entry was made. When Sgt. Anghel entered the apartment, he observed § 87(2)(b) and § 87(2)(b) sitting on chairs in the living room. Sgt. Anghel then went to the kitchen where his attention was drawn to the green frog sponge holder. When Sgt. Anghel examined the sponge holder, he recovered crack cocaine that was hidden inside of it. Sgt. Anghel briefly interacted with § 87(2)(b) who told him that the contraband could have been placed in the sponge holder by an unidentified male individual who was in her apartment weeks ago. Sgt. Anghel did not talk to § 87(2)(b) and § 87(2)(b) about them having TV sets in each room, and he did not say to them, “You have money here. You have drugs... If you are not working, you are dealing drugs,” (Board Review 29).

Det. Charles Ingrassia testified that on April 8, 2016, he went inside of § 87(2)(b) B after he searched § 87(2)(b) C in order to ask Sgt. Anghel a question. Sgt. Anghel informed Det. Ingrassia that he recovered several twists of crack cocaine from the frog shaped sponge holder. While interacting with Sgt. Anghel, Det. Ingrassia observed three female individuals, § 87(2)(b) and § 87(2)(b) sitting in the living room. Det. Ingrassia did not hear Sgt. Anghel said to the females, “You have money here. You have drugs... If you are not working,

you are dealing drugs,” nor did he hear if any other officer made such statement (Board Review 25).

§ 87(2)(g)

Allegation L—Discourtesy: At § 87(2)(b) B, in Brooklyn, Detective Jennyann Nelson spoke discourteously to § 87(2)(b)

Allegation M—Offensive Language: At § 87(2)(b) B, in Brooklyn, Detective Jennyann Nelson made remarks to § 87(2)(b) based upon ethnicity.

§ 87(2)(b) stated that after the officer, Sgt. Anghel, recovered contraband from the sponge holder, Sgt. Anghel and another officer, identified via investigation as Det. Jennyann Nelson of the Brooklyn North Narcotics, escorted § 87(2)(b) to § 87(2)(b) bedroom and questioned her about the contraband. § 87(2)(b) alleged that during her conversation with Det. Nelson and Sgt. Anghel, Det. Nelson said to her, “I don’t give a fuck [or shit], [about arresting § 87(2)(b) you, West Indians, come to this country because your families reject you” (Board Review 9).

Det. Jennyann Nelson testified that on April 8, 2016, she assisted the 75 Field Team in execution of the search warrant of § 87(2)(b) B. Det. Nelson was responsible for cuff and toss and for carrying the “kelly sledge.” When Det. Nelson entered § 87(2)(b) B, she saw three female individuals, § 87(2)(b) and § 87(2)(b) being placed in handcuffs and secured in the living room. Det. Nelson then was asked by Sgt. Weber to search and to dress the females. Det. Nelson escorted § 87(2)(b) and § 87(2)(b) each one individually from the living room to one of the two bedrooms. Det. Nelson then searched each one of the females and asked them to put on clothes. While Det. Nelson was in the bedroom with § 87(2)(b) she did not say to § 87(2)(b) “I don’t give a fuck [or shit], [about arresting § 87(2)(b) § 87(2)(b) ...you, West Indians, come to this country because your families reject you,” nor did she use any profanity against § 87(2)(b) or made any offensive remarks regarding § 87(2)(b) s ethnicity (Board Review 27).

Sgt. Weber testified that while he was present inside of § 87(2)(b) B, he did not hear Det. Nelson or any other officer say to § 87(2)(b) “I don’t give a fuck [or shit], [about arresting § 87(2)(b) you, West Indians, come to this country because your families reject you” (Board Review 26).

Sgt. Anghel did not recall escorting § 87(2)(b) to § 87(2)(b) bedroom with Det. Nelson. Sgt. Anghel did not hear if Det. Nelson or any other officer said to § 87(2)(b) “I don’t give a fuck [or shit], [about arresting § 87(2)(b) you, West Indians, come to this country because your families reject you,” (Board Review 29).

§ 87(2)(g)

§ 87(4-b) § 87(2)(g)

Squad: 9

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date